

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD HENDRIX,

Petitioner,

v.

RICHARD RIMMER,

Respondent.

No. C 06-5328 SBA (PR)

**ORDER DIRECTING
PAYMENT OF FILING FEE
OR FILING OF *IN FORMA*
PAUPERIS APPLICATION**

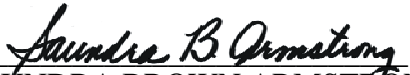
Petitioner has filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. However, Petitioner has not paid the requisite \$5.00 filing fee or filed an application for leave to proceed in forma pauperis (hereinafter "IFP"). The Court cannot conduct an initial review of this matter until Petitioner has either paid the filing fee or completed an IFP application. See 28 U.S.C. § 1915(a) (a party is permitted to file a civil action in federal court without prepayment of fees or security if he makes affidavit that he is unable to pay such fees or give security therefor).

Accordingly, Petitioner shall pay the requisite \$5.00 filing fee in this action no later than **thirty (30) days** from the date of this Order. He shall include with his payment a clear indication that it is for the above-referenced case number C 06-5328 SBA (PR). In the event that Petitioner is unable to pay the filing fee, he shall submit an IFP application, trust account statement and certificate of funds no later than **thirty (30) days** from the date of this Order. Failure to pay the filing fee or file the requisite documents shall result in dismissal of this action.

The Clerk of the Court shall send Petitioner a blank prisoner IFP application form along with his copy of this Order.

IT IS SO ORDERED.

DATED: 8/2/07


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

EDWARD HENDRIX,

Plaintiff,

v.

RICHARD RIMMER et al,

Defendant.

Case Number: CV06-05328 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 3, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Edward Hendrix P43877
827 Pine Street, #33
W. Sacramento, CA 95691

Dated: August 3, 2007

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk